

#12

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PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0851-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>REVOCATION AND SUBSTITUTE POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	<b>Application Number</b>	09/137,989
	<b>Filing Date</b>	August 21, 1998
	<b>US Patent No./Issue Date</b>	6,177,932, Issued: 1/23/01
	<b>First Named Inventor</b>	Frank A. Galdes <i>et al.</i>
	<b>Group Art Unit</b>	2100
	<b>Attorney Docket Number</b>	20115-07858

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application, and I hereby appoint:



Practitioner(s) named below:

Name	Registration Number
Daniel R. Brownstone	46,581
John T. McNells	37,186
Robert R. Sachs	42,120

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address to, and associate the above-identified application with:



Practitioners at Customer Number

00758

OR

☐ Firm or Individual Name

Address

Address

City

State

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Country

Telephone

Fax

I am the:



Applicant/Inventor.



Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

## SIGNATURE of Applicant or Assignee of Record

Name	John Huyett
Title	Chief Financial Officer
Signature	
Date	7/2/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

20115/07858/SF/5104016.1

Arty. Dkt. No.: 20115-07858

## Certificate Under 37 CFR § 3.73(b)

Applicant: Frank A. Galdes, Mark A. Ericson  
Application No./Filing Date: 09/137,989 August 21, 1998  
U.S. Patent No./Issue Date: 6,177, 932 Issued: January 23, 2001  
Name of Assignee: Kana Software, Inc.  
Type of Assignee (e.g. corporation, partnership, university, government agency, etc.): Corporation

The above-mentioned Assignee certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached; OR

B. ☒ A chain of title from the inventor, of the patent application identified above, to the current assignee as shown below:

1. From: Frank A. Galdes and Mark A. Ericson  
To: NctDialog, Inc..  
The document was recorded in the Patent and Trademark Office at  
Reel: 9400 and Frame: 0965, or for which a copy thereof is attached.
2. From: Nct Dialog, Inc.  
To: Kana Communications, Inc.  
The document was recorded in the Patent and Trademark Office at  
Reel: \_\_\_\_\_ and Frame: \_\_\_\_\_, or for which a copy thereof is attached.
3. From: Kana Communications, Inc.  
To: Kana Software, Inc.  
The document was recorded in the Patent and Trademark Office at  
Reel: 013699 and Frame: 0303, or for which a copy thereof is attached.

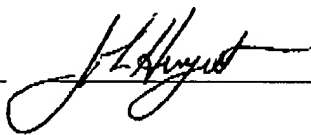
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7/31/03 Date  Signature  
John Huyett Name  
Chief Financial Officer Title

20115/07858/SF/5104010.1



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 02, 2003

PTAS

FENWICK & WEST LLP  
DANIEL R. BROWNSTONE  
SILICON VALLEY CENTER  
801 CALIFORNIA STREET  
MOUNTAIN VIEW, CA 94041

**\*700034974A\***

**\*700034974A\***

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/30/2003

REEL/FRAME: 013767/0688  
NUMBER OF PAGES: 5

BRIEF: MERGER (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NETDIALOG, INC.

DOC DATE: 09/28/2000

ASSIGNEE:

KANA COMMUNICATIONS, INC.  
172 CONSTITUTION DRIVE  
MENLO PARK, CALIFORNIA 94025

SERIAL NUMBER: 09343560  
PATENT NUMBER: 6170932

FILING DATE: 06/30/1999  
ISSUE DATE: 01/09/2001

MAURICE CARTER, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Form PTO-1595

(Rev. 03/01) (modified)

OMB No. 0651-0027 (exp 5/31/2002)

RECORDATION FORM COVER SHEET  
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE  
U.S. Patent And Trademark Office

To the Honorable Commissioner For Patents: Please record the attached original documents or copy thereof:

## 1. Name of conveying party(ies):

Netdialog, Inc.

Additional name(s) of conveying party(ies) attached?

☐ Yes☒ No

## 3. Nature of Conveyance:

☐ Assignment☒ Merger☐ Security Agreement☐ Change of Name☐ Other: \_\_\_\_\_Execution Date: September 28, 2000

## 2. Name and address of receiving party(ies):

Name: Kana Communications, Inc.

Internal Address:

Street Address: 172 Constitution Drive

City: Menlo Park,

State: CA Zip: 94025

Additional name(s) &amp; address(es) attached?

☐ Yes☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s):

B. Patent No.(s):

6,172,932

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel R. Brownstone, Esq.

Internal Address: Fenwick &amp; West LLP

Street Address: Silicon Valley Center  
801 California Street

City: Mountain View State: CA Zip Code: 94041

## 6. Total number of applications and patents involved: [ 1 ]

7. Total fee (37 CFR 3.41): \$40.00

☐ Check Enclosed☐ Fee Transmittal Enclosed☒ Charge the indicated fees to the below mentioned deposit account.

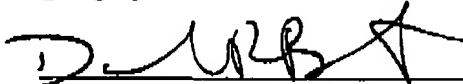
8. Deposit Account No.: 19-2555

DO NOT USE THIS SPACE

## 9. Statement and signature:

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Daniel R. Brownstone Reg. No. 46,581

Name of Person Signing



Signature

30 June 2003

Date

Total number of pages including cover sheet, attachments, documents: [ 6 ]

Mail documents to be recorded with required cover sheet information to: Mail Stop Assignment Recordation Services, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Case Docket No.: 20115-07858

20115/07858/SF/5102619.1

# Delaware

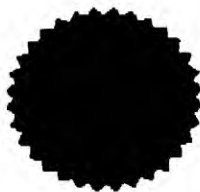
PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"NETDIALOG, INC.", A CALIFORNIA CORPORATION,

WITH AND INTO "KANA COMMUNICATIONS, INC." UNDER THE NAME OF "KANA COMMUNICATIONS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF SEPTEMBER, A.D. 2000, AT 9 O'CLOCK A.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3058359 8100M  
030269639

AUTHENTICATION: 2453832

DATE: 06-05-03

RECEIVED 06-05-03 08:08AM

FROM-3028785419

TO-Fenwick & West

PAGE 002

## CERTIFICATE OF OWNERSHIP AND MERGER

Pursuant to Section 253 of the General Corporation Law of the State of Delaware, Kans Communications, Inc., a Delaware corporation (the "Corporation"), for the purpose of effecting the merger of netDialog, Inc., a California corporation and a wholly-owned subsidiary of the Corporation ("netDialog"), with and into the Corporation (the "Merger"), does hereby certify:

**FIRST:** That the Corporation was incorporated and duly organized under the General Corporation Law of the State of Delaware.

**SECOND:** That the Corporation owns all of the issued and outstanding shares of capital stock of netDialog.

**THIRD:** That netDialog was incorporated and duly organized under the laws of the State of California, the laws of which permit a merger of a domestic corporation with and into a foreign corporation.

**FOURTH:** That the Corporation hereby merges netDialog into itself, and assumes all of netDialog's rights, obligations, liabilities and responsibilities.

**FIFTH:** That the Corporation's Board of Directors duly adopted the following resolutions on the 28th day of September, 2000:

### "Merger with netDialog, Inc., a California Corporation"

"WHEREAS, the Board of Directors deems it to be in the best interests of the Corporation and its stockholders to effect a merger (the "Merger") of netDialog, Inc., a California corporation of which the Corporation owns all of the issued and outstanding capital stock (the "Subsidiary"), with and into the Corporation pursuant to the terms and provisions of the (i) Certificate of Ownership and Merger (the "Delaware Merger Certificate") substantially in the form attached hereto as Exhibit A pursuant to the provisions of the Delaware Code, and (ii) Certificate of Ownership Merging netDialog, Inc. into Kans Communications, Inc. (the "California Merger Certificate") substantially in the form attached hereto as Exhibit B pursuant to the provisions of the California Corporations Code (the "California Code");

"NOW, THEREFORE, BE IT RESOLVED, that the Merger, pursuant to Section 253 of the Delaware Code and Sections 1108 and 1110 of the California Code, and the assumption of all liabilities of Subsidiary by the Corporation be, and it hereby is, authorized, adopted and approved;

"RESOLVED FURTHER, that Subsidiary shall be the disappearing corporation upon the effective date of the Merger (which shall be September 28, 2000) (the "Effective Date") pursuant to the provisions of the California Code, and the Corporation shall continue its existence as the surviving corporation pursuant to the provisions of the Delaware Code;

"RESOLVED FURTHER, that upon the Effective Date, Subsidiary shall transfer to the Corporation, and the Corporation shall assume, all of Subsidiary's rights, obligations, liabilities and responsibilities, and all of Subsidiary's bank accounts and other assets; and that the appropriate officers of the Corporation be, and they hereby are, authorized and directed to take any and all action necessary to transfer the same;

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 09:00 AM 08/28/2000  
001491472 - 3058359

"RESOLVED FURTHER, that, upon the Effective Date, the Corporation shall assume all the federal, state and local tax liabilities of Subsidiary; and that the officers of the Corporation be, and each of them hereby is, authorized and directed to make, execute, deliver, file and/or record any and all documents with the various federal, state and local tax authorities as may be necessary to assume such tax liabilities;

"RESOLVED FURTHER, that upon the Effective Date, and by virtue of the Merger, the issued and outstanding shares of capital stock of Subsidiary shall not be converted in any manner, nor shall any cash or other consideration be paid or delivered therefore, inasmuch as the Corporation is the owner of all issued and outstanding shares of capital stock of Subsidiary, but each said share which is issued and outstanding as of the Effective Date shall be surrendered, cancelled and extinguished;

"RESOLVED FURTHER, that the form, terms and provisions of the Delaware Merger Certificate and the California Merger Certificate, in substantially the forms attached hereto as Exhibit A and Exhibit B, respectively, be, and they hereby are, authorized, adopted and approved, with such changes as the officers executing the Delaware Merger Certificate and the California Merger Certificate may determine to be necessary, appropriate or advisable, such determination to be conclusively evidenced by the execution thereof; and

"RESOLVED FURTHER, that the proper officers of the Corporation be, and each of them hereby is, authorized, empowered and directed to do any and all acts and things, and to make, execute, deliver, file, and/or record any and all instruments, papers and documents, including, but not limited to, providing notification of the Merger to any appropriate governmental or regulatory agencies, filing the Delaware Merger Certificate, the California Merger Certificate and any other forms and documents with such agencies if may be required or advisable by them or by law, and obtaining such consents from third parties and governmental or regulatory agencies as may be necessary or advisable to effectuate the purposes of the foregoing resolutions and to carry out the Merger."

*Remainder of this page intentionally left blank.*

IN WITNESS WHEREOF, the undersigned has executed this Certificate of  
Ownership and Merger on the 28th day of September, 2000.

KANA COMMUNICATIONS, INC.

By: 

Michael J. McCloskey  
Chief Executive Officer





# FENWICK & WEST LLP

SAN FRANCISCO OFFICE | 275 BATTERY ST., SUITE 1500 | SAN FRANCISCO, CA 94111

TEL 415.875.2300 | FAX 415.281.1350 | WWW.FENWICK.COM

## FACSIMILE TRANSMISSION

### CONFIDENTIAL

DATE: August 4, 2003

CLIENT-MATTER NO.: 20115-07858

**To:**

NAME	FAX NO.	PHONE NO.
U.S. Patent and Trademark Office Group Art Unit 2100	(703) 746-7240	

**FROM:** Daniel R. Brownstone  
Reg. No. 46,581**PHONE:** (415) 875-2358

NUMBER OF PAGES WITH COVER PAGE: 10

ORIGINAL WILL NOT FOLLOW

**MESSAGE:**

Re: USPN 6,177,932 Issued January 23, 2001

20115/07858/SF/5104730.1

### CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR THEIR DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF THEY ARE NOT CLEAR,  
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Received from &lt;+14153950879&gt; at 8/5/03 7:43:31 PM [Eastern Daylight Time]

PTO/SB/21 (modified)

Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE


<b>TRANSMITTAL FORM</b> (to be used for all correspondence during pendency of filed application)	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	App Number/Filing Date	09/137,989 / August 21, 1998
			USPN / Issue Date	6,177,932 / January 23, 2001
			First Named Inventor	Frank A. Galdes et al.
			Group Art Unit Number	2100
			Examiner Name	Not known
Total Number of Pages in This Submission		10	Attorney Docket Number	20115-07858

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ]
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References	<input checked="" type="checkbox"/> Fax cover sheet
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/>
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/>
<input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/>
<input checked="" type="checkbox"/> Certificate Under 37 CFR 3.73 (b)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>


REMARKS:

**SIGNATURE OF ATTORNEY OR AGENT**

Signature:	
Attorney/Reg. No.:	Daniel R. Brownstone, Reg. No. 46,581
Dated:	August 5, 2003

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: GAU 2100, Commissioner for Patents at the facsimile number indicated below.

Signature:	
Typed or Printed Name:	Daniel R. Brownstone
Dated:	August 5, 2003
Facsimile Number:	1-703-746-7240

20115/07858/SF/5104531.1